IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 18TH SEPTEMBER 2007 / 27TH BHADRA 1929

WP(C).No. 20687 of 2004(K)

PETITIONER:

T.S.VENKATESWARAN,
`KALPANA', T.D. TEMPLE ROAD,
KOLLAM 691 013.

BY ADV. SRI.T.KRISHNAN UNNI
SRI.KMR.MENON

RESPONDENT:

INSURANCE REGULATORY AND DEVELOPMENT
AUTHORITY, PARISRAMA BHAVAN, 3RD FLOOR,
5-9-58/B, BASHEER BOGH, HYDERABAD 500 004.

BY ADV. SRI.P.R.RAMACHANDRA MENON

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO 20687

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1.	COPY OF THE LICENCE NO.SLA 25378/89-94/EXP05/06/94
EXT.P2.	COPY OF THE ORDER DT. 17.2.97 IN OP 1377/94
EXT.P3.	COPY OF THE CERTIFICATE DT. 7.10.97 ISSUED BY THE OFFICE OF THE CONTROLLER OF INSURANCE
EXT.P3(a).	COPY OF THE CERTIFICATE DT. 10.5.99 ISSUED BY THE OFFICE OF THE CONTROLLER OF INSURANCE
EXT.P4.	COPY OF THE ORDER DT. 20.8.01 ISSUED BY THE INSURANCE REGULATORY AND DEVELOPMENT AUTHORITY
EXT.P5.	COPY OF THE LETTER DT. 4.3.03 SUBMITTED BY THE PETITIONER
EXT.P6.	COPY OF THE LETTER DT. 3.1.03 ISSUED BY THE RESPONDENT
EXT.P7.	COPY OF THE LETTER DT. 23.3.04 SUBMITTED BY THE PETITIONER TO THE RESPONDENT
EXT.P8.	COPY OF THE LETTER DT. 12.4.04 ISSUED BY THE RESPONDENT TO THE PETITIONER
EXT.P8(a).	COPY OF THE LETTER DT. 6.5.04 SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENT
EXT.P9.	COPY OF THE LICENCE NO.25378/04-09/EXP05/06/2009, DT. 13.5.04 ISSUED BY THE RESPONDENT TO THE PETITIONER

/TRUE COPY/

PA TO JUDGE.

ANTONY DOMINIC, J.

W.P.(C). NO. 20687 OF 2004

Dated this the 18th day of September, 2007

J U D G M E N T

The order under challenge in this writ petition is Ext.P4. Ext.P4 deals with the request of the petitioner for categorisation as Insurance Surveyor. That application was considered in the light of the provisions contained in the Insurance Surveyors And Loss Assessors (Licensing, Professional Requirements and Code of Conduct) Regulatins, 2000. By Ext.P4 the petitioner was informed that he was eligible for the categorisation in the categories referred to therein, such as Fire, Motor and Miscellaneous. Accordingly option was sought from the petitioner. On a reading of Ext.P4 it is evident that the consideration of the application of the petitioner was in the light of the regulations. Since the said regulation are not under challenge and since Ext.P4 has been issued in confirmity with the rules, Ext.P4 can only be upheld. Therefore the prayer sought for by the petitioner to quash Ext.P4, in the absence of challenge of the enabling regulations under which it has been issued is only to be repelled and I do so.

2. Learned counsel for the respondents also brought to my notice that the categorisaiton as such has already been upheld by the Madras High Court by its judgment in W.P.(C) No. 2275 of 2001 and Delhi High Court in civil Writ Petition No.5733/03.

In the light of this, I do not find any merit in the writ petition. It is dismissed.

ANTONY DOMINIC, JUDGE

vps

K.R. UDAYABHANU, JUDGE

CRL.A. NOS.721/99 & 213/02

JUDGMENT

13TH SEPTEMBER, 2007

CRL.R.P.769/00

ORDER IN CRL.M.P. NO.4143/00 IN CRL.R.P.769/00

DISMISSED

13.9.07 SD/- **K.R. UDAYABHANU, JUDGE**

/TRUE COPY/

PA TO JUDGE.